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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,824	03/13/2009	Reginald Charles Allsopp	2006-2938.ORI	1946

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HAUGEN LAW FIRM  
SUITE 1130 - TCF TOWER  
121 SOUTH EIGHTH STREET  
MINNEAPOLIS, MN 55402

EXAMINER
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PUROL, DAVID M

ART UNIT	PAPER NUMBER
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3634

MAIL DATE	DELIVERY MODE
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03/04/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/596,824	ALLSOPP, REGINALD CHARLES	
	<b>Examiner</b>	<b>Art Unit</b>	
	David M. Purol	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Drafts, Person's Patent Drawing, Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)  | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

1. The preliminary amendment filed on June 26, 2006 has been entered.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-59 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

These claims are replete with indefinite language for which its intended meaning is not understood, grammatical and/or idiomatic errors, and narrative in form setting forth functional or operational language for which there is insufficient structural recitation to warrant its presence. The claims fail to conform with current U.S. practice and they appear to be a literal translation from a foreign document.

The claims recite elements which have been referenced only by the following functional language and as such are not positively claimed elements of the invention. For example: "to form a", "is configured to interact", "which facilitates the positioning", "for releasable insertion", "configured to releasably engage", "for a", "may be attached", "hidden during use", "using", "housed", "is shaped to", "when secured", "may be cut", "for use in", "configured to be received", "for hiding", "for allowing", "for releasably securing", "for resisting insertion", "interacts with", "for resisting twisting", "creating", "releasably engages", "by the presence of", "forming the", "snap-fit interaction", "facilitated by urging". The use of the language as noted above further renders the claims indefinite for the metes and bounds of the claims cannot be established.

There is no antecedent basis for the following: claim 7, line 2 "the cover"; claim 13, line 2 "the moving edge"; claim 15, line 4 "the window casing"; claim 32, line 8 "the projections"; claim 46, lines 2-3 "the resilient lug" and "the co-operating slot".

Claims 17,18 recite a double recitation of the window casing inasmuch as the window casing has been previously set forth.

Claim 22 recites "controlled positioning of" which is subject to personal interpretation.

Claims 23-25 make reference to the preparing, making, selling of the kit which is improper for an article claim.

Claim 26, lines 6-12 are narrative in their entirety.

Claims 30, 41 recite "retaining means" which is a means clause devoid of a statement of its intended function.

Claim 36 recites "securing means" which is a means clause devoid of a statement of its intended function.

Claim 43 recites "the two limbs of the L" for which its meaning is not clear.

Claim 49 states that the clip additionally comprises a spacer but fails to correlate any structure of which the spacer might comprise in relation to the clip.

It is not clear if the projections of claims 53-55 are referencing the projections of claim 52.

Claims 8-14, 51-55, 56-59 are further indefinite for they are in an improper format and set forth preambles which are inconsistent with the preamble of the claims from which they are dependent upon.

The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-32,51-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (U.S. Patent No. 5,282,504) in view of Dotson et al (U.S. Patent No. 5,547,011).

Anderson et al disclose a window blind frame system comprising a frame 26,26a,40 of extruded portions, a window blind 24,24a, frame securing clips 34,52 for mounting the frame 26,26a,40 to a window casing 18,19,18a,19a. The clips 34,52 have portions 54,56,58 which define the particulars of the claimed flange and support. While Anderson et al do not set forth that the extruded portions are connected by angle joints, Dotson et al disclose a window blind system 14,12 comprising extruded portions 14a-d connected by angle joints 16,18,24,26 having portions which define the claimed cover and a handle 40, wherein, to incorporate this teaching into the window blind frame system of Anderson et al for its purpose of assembling the window blind frame system would have been obvious to one of ordinary skill in the art. The particular placement of

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the handle is seen as being a design choice. In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950).

4. Claims 32,42,43 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBlock (U.S. Patent No. 6,173,754).

DeBlock discloses a frame securing clip 30 having a flange 34, support 36, engaging member 40, and retaining means 46 of which fully respond to or sets forth the equivalent structure of the claimed clip.

5. Claims 32-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vecchiarelli (U.S. Patent No. 4,254,813) in view of Franssen (U.S. Patent No. 7,177,918).

Vecchiarelli discloses a frame securing clip comprising an L-shaped bracket 22, arms 25,27, clip body 31, hook member 32, legs 33, detents 34,46-49, upstanding members 35,36, limbs 40-43, channel 45, valance 60 and facing members 61,62 each of which fully responds to or sets forth the equivalent structure of the claimed clip.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to David M. Purol whose telephone number is (571) 272-6833.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Katherine Mitchell, can be reached at (571) 272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/David M Purol/  
**David M Purol**  
**Primary Examiner**  
**Art Unit 3634**

/D. M. P./  
(571) 272-6833  
March 2, 2011